

STATEMENT UNDER 37 CFR 3.73(b)Applicant/Patent Owner: Jane Hirsh, Roman V. Rariy, Shubha Chungi, Michael T. Heffernan and Srinivas G. RaoApplication No./Patent No./Control No.: 10/691,936 Filed/Issue Date: October 23, 2003Entitled: MODIFIED RELEASE COMPOSITIONS OF MILNACIPRAN

Collegium Pharmaceutical, Inc.

a corporation

(Name of Assignee)

(Type of Assignee: corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of a joint, undivided interest; or
2. ☐ an assignee of less than the entire right, title and interest
(The extent (by percentage) of its ownership interest is _____ %)

in the patent application/patent identified above by virtue of either:

- A. ☒ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel 014383, Frame 0987, or a true copy of the original assignment is attached.

OR

- B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as follows:

1. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.
2. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.
3. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

As required by 37 CFR 3.73(b)(1)(i), the documentary evidence of the chain of title from the original owner to the assignee was, or concurrently is being, submitted for recordation pursuant to 37 CFR 3.11.

(NOTE: A separate copy (i.e., a true copy of the original assignment document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, to record the assignment in the records of the USPTO. See MPEP 302.08)

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

Michael T. Heffernan

Signature

Michael T. Heffernan

Printed or Typed Name

President

Title

2/26/07

Date

401-762-2000

Telephone Number

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

ASSIGNMENT

I, Srinivas Grandham Rao of 1477 Paseo de las Flores, Encinitas, CA 92024, in consideration of ten dollars and other valuable consideration paid to me by Cypress Bioscience, Inc., a corporation of the State of Delaware, having its principal place of business at 4350 Executive Drive, Suite 325, San Diego, CA 92121 (hereinafter "said Assignee"), the receipt of which is hereby acknowledged, do hereby sell, assign and transfer unto said Assignee, its successors and assigns, the entire interest for the United States of America, and its territories and all foreign countries and jurisdictions, including all rights of priority under the International Convention for the Protection of Industrial Property, in a certain invention or improvement in "*MODIFIED RELEASE COMPOSITIONS OF MILNACIPRAN*" described in U.S. Serial No. 10/691,936 filed in the United States Patent and Trademark Office on October 23, 2003, by Jane C. Hirsh, Roman V. Rariy, Shubha Chunghi, Michael T. Heffernan, and Srinivas G. Rao, and in the provisional applications to which priority is claimed, being U.S.S.N. 60/421,640 filed on October 25, 2002; U.S.S.N. 60/431,626, filed on December 5, 2002; U.S.S.N. 60/431, 627 filed on December 5, 2002; U.S.S.N. 60/431,906, filed on December 9, 2002; U.S.S.N. 60/431,861, filed on December 9, 2002; U.S.S.N. 60/443,618, filed on January 29, 2003; U.S.S.N. 60/459,061, filed on March 28, 2003; U.S.S.N. 60/458,994, filed on March 28, 2003; and U.S.S.N. 60/458,995, filed on March 28, 2003, and in all Letters Patent of the United States and its territories and all foreign countries and jurisdictions which may or shall be granted on said invention, or any parts thereof, or on said application, or any provisional, divisional, continuation, continuation-in-part, reissue, or other applications based in whole or in part thereon. And I agree, for myself and my executors and administrators, with said Assignee and its successors and assigns, but at its or their expense or charges, hereafter to execute all applications, amended specifications, deeds or other instruments, and to do all acts necessary or proper to secure the grant of Letters Patent in the United States and its territories and in all other foreign countries and jurisdictions to said Assignee, with specifications and claims in such form as shall be approved by the counsel of said Assignee,

Title: "MODIFIED RELEASE COMPOSITIONS OF MILNACIPRAN"
By: Jane Hirsh, Roman V. Ruriy, Michael T. Heffernan, and Srinivas G. Rao
Filed: October 23, 2003
ASSIGNMENT

and to vest and confirm in said Assignee, its successors and assigns, the legal title to all such patents.

And I do hereby authorize and request the Commissioner of Patents and Trademarks of the United States to issue such Letters Patent as shall be granted upon said application or applications based thereon to said Assignee, its successors and assigns.

WITNESS my hand and seal this 5th day of April, 2007.



Srinivas Grandham Rao

____ of _____)
County of _____)

Then personally appeared the above named Srinivas Grandham Rao and acknowledged the foregoing instrument to be his free act and deed, before me this _____ day of _____, 2007.

Notary Public

My Commission expires: _____

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ACKNOWLEDGMENT

State of: California

County of San Diego

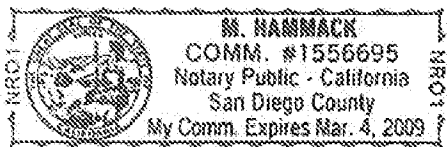
On April 5, 2007, before me M Hammack
Date Name and Title of Officer (e.g., "Jane Doe, Notary Public),

Personally appeared Srinivas Rao
Name(s) of Signer(s)

☒ personally known to me
☐ proved to me on the basis of satisfactory evidence

to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) in the instrument the person(s) or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal



M Hammack
Signature of Notary Public

Place Notary Seal Above